



NEWS

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SUMMARY OF CASES ACCEPTED DURING THE WEEK OF OCTOBER 2, 2000

[This news release is issued to inform the public and the press of cases that the Supreme Court has accepted and of their general subject matter. The description or descriptions set out below do not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

#00-119 Renee J. v. Superior Court, S090730. (G026981; 81 Cal.App.4th 1019.)

Petition for review after the Court of Appeal granted a petition for a peremptory writ of mandate. This case concerns whether a trial court, in a dependency proceeding may deny reunification services to a parent under subpart A of Welfare and Institutions Code section 361.5, subdivision (b)(10), without finding that the parent has not made a reasonable effort to treat the problems that led to the prior removal of a sibling or half-sibling of the dependent child.

#00-120 People v. Kahn, S090153. (G024125.) Unpublished opinion. Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense. The court ordered briefing deferred pending decision in People v. Williams, S066106 (#98-21), which concerns whether a trial judge may remove, and replace with an alternate, a juror who states an intent not to apply a law with which he disagrees.

#00-121 People v. Miller, S090239. (B127059.) Unpublished opinion. Petition for review after the Court of Appeal modified and affirmed a judgment of conviction of criminal offenses. The court ordered briefing deferred pending decision in People

(over)

v. Crayton S085780 (#00-34), which concerns whether the trial court erred in failing to

obtain an express waiver of the right to counsel in superior court when defendant expressly waived the right to counsel at the preliminary examination, and, if so, what prejudicial error standard applies.

#00-122 Montenegro v. Diaz, S090699. (E025810; 82 Cal.App.4th 1.) Petition for review after the Court of Appeal reversed the order in a custody proceeding. This case concerns whether a stipulated order for custody constitutes a “prior judicial determination” of the child’s best interests and so requires later custody decisions be based on “changed circumstances” rather than on “the best interests of the child.”

#00-123 Pearl v. Worker’s Comp. Appeals Bd., S090553. (B125991; 81 Cal.App.4th 1033.) Petition for review after the Court of Appeal denied a petition for writ of review. This case concerns whether the statutory requirement that a worker’s compensation applicant who claims psychiatric injury must demonstrate that the actual events of employment were the predominant cause of the injury (Lab. Code, § 3208.3) applies in a proceeding to determine industrial causation for purposes of an industrial disability retirement under the Public Employees’ Retirement Law (see Gov. Code, § 21166) and, if so, whether application of the rule impairs an applicant’s vested pension rights.

#00-124 People v. Smith, S090232. (B133309.) Unpublished opinion. Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense. The court ordered briefing deferred pending decision in People v. Metters, S069442 (#98-70), and People v. Cleveland, S078537 (#99-94), which concern the propriety of removing a juror for refusing to deliberate and follow the law.

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